

## The Tariff Question.

The following general argument in favor of a Tariff for Protection is from an article in the *American Review* for September:—

Before entering upon any particular observations on the character, provision and probable effect of the Tariff of 1846, we may be indulged in a few general suggestions, bearing on the Tariff controversy at large.

And first, we remark, that none of those who have so ably discussed this subject, either in the formidable tones which are too generally regarded as infallible text-books of Political Economy, or in the able debates of the last session of Congress, seem to us to have contemplated directly and given sufficient weight to the peculiarities of our National condition. We are one people, but divided over a rapidly widening area, which far exceeds the civilized portion of the Old World. Our country presents a diversity of soil and climate, of capacities and products, which all Europe combined cannot rival. It is quite common to see arguments passed unchallenged which rest on such bases as these:—France injures herself in refusing the Iron and Coal, Spain in rejecting the Cottons, Russia in declining the Woolens of Great Britain; ergo we ought not to protect our own Iron, Coal, Cottons and Woolens! But the logic falls short: admitted in all its legitimate force, it would only prove the expediency of a Free Trade between the various sections or States of our own vast empire, which nobody is disputing. Prove that nations divided but by an imaginary line, or a few hundred miles at most, may advantageously exchange products, and you have barely begun to prove a like advantage in exchanges of commodities, bulky at least on one side, between nations whose shores are thousands of miles distant.

But in truth no intelligent advocate of Protection contends for anything like the exclusion of British Coal from France and of French Wines and Silks from Great Britain—assuming such to exist. The flippant aphorisms and sorry jests of our adversaries, averring the absurdity of attempting to grow grapes in Nova Zembla and fabricate ice in Ceylon—to make sugar at Labrador, or extract sunbeams from cucumbers—are based on an entire misapprehension or culpable perversion of our views. What we do maintain, as we have a thousand times stated, is, that sound policy dictates to each country—or at least to each country so vast and so versatile in capacity as our own—the expediency of producing within its own limits all articles requisite to its own sustenance and comfort so far as Nature has interposed no obstacle. If, for example, Nature has decreed that the tea-plant shall flourish only in China and its vicinity, unless by an extraordinary bestowment of labor and care, then the production of Tea ought to be nowhere else an object of National solicitude and protection. But prove to us that Tea will grow in parts of this country as well as in the corresponding latitudes of Eastern Asia and we would urge the immediate imposition of Protective duty on Tea sufficiently enough to encourage our people to engage in this branch of industry and to enable them to overcome the difficulties and disappointments always incident to such enterprise. Admit that our annual supply of this fragrant herb would for a time be enhanced in cost by nearly the amount of the duty, (the difference mainly going into the Federal Treasury,) and we could not doubt that the ultimate reduction in consequence of production within the neighborhood of the consumer would more than compensate the original disadvantage of Protection, looking at the matter merely in the narrow mercantile point of view. "Dear-bought and far-fetched" is an axiom the truth of which partially depends on the cost of transportation. Wherever A and B, producers respectively of articles desirable to each other, are neighbors and exchange their respective surplus directly, the cost of each exchange is usually trifling and the product of their united labor is shared between them. But place them a few hundred miles apart, and you have now not only transportation but reciprocal risks of damage or decay and the profits of two or three trafficking intermediaries subtract from the joint products of their labor before you arrive at the amount left for their enjoyment. Increase this distance to a thousand miles, and place formidable barriers of mountain and valley as well as more pliable water between them, and you have greatly increased the proportion of their joint product which must be subtracted to satisfy the legitimate demands of Commerce. Hence the circumstance that the autarkization of new branches of industry has scarcely ever failed to reduce the cost of the domestic consumers of the articles produced thereby. Thus, while the whole of Europe and Western Asia for centuries after centuries procure their silks from India and China by slow, expensive perilous overland journeys of caravans, the cost of a pound of silk averaged nearly a pound of gold though gold was more valuable than at present. Probably it cost a good deal more than this to produce the first pound, or the first hundred pounds, of silk grown in Europe; but after the silk culture manufacture had been thoroughly established there the price of the product inevitably declined, and is now as low as in China. So with hundreds of other articles in all parts of the world.

But we deny that the mercantile is the only high in which this subject should be viewed. Suppose it were true that our Cloths and Wares would for many years cost twenty-five per cent. more if made here than if brought from England—would it therefore be proved advantageous to buy them abroad? We say it would not, for these among other reasons:

1. Because the price of Agricultural staples is enhanced and the productiveness of Farming increased by the creation of markets of consumption in the midst of our rural population. Does any doubt this? Let him compare the value of a farm in Hamilton county, Ohio, wherein is Cincinnati, with that of an equally good farm in Richland or Stark county, in the Northern part of the State. The character of the population is not materially different: their industry and thrift are much alike. Yet the Hamilton county farm will yield three to ten times the Richland farm. And why? The market for a deer in Hamilton, but the immediate vicinity of a populous community, who consume but do not produce food, enables the farmer here to secure thrice as great a return from each acre of ground as he could obtain in Richland. His fields are not more fertile but he can here sell fruits, vegetables and other products—more profitable to him than Pork or Flour—for which he could find but a precarious or no market in Richland. So every where: so will it be wherever manufactures are extensively introduced. Yet Free Traders look only to the price of such great staples as Pork, Beef, Flour, &c., and if these have not advanced in price they argue that the farmers have derived no benefit from Protection! Do they not clearly affirm upon insufficient and unreliable premises?

2. Again the difference in position between an old and a new country is never fairly considered by those who argue against Protection. We are a new people, inhabiting a country as yet not once tenanted from the primitive wilderness. In such a country, rapidly increasing in population and improving in the arts of life, labor is generally in demand and paid higher than in older communities. Interest also is high, and the temptation of buying goods on credit and reselling available means to be employed, as is calculated, more advantageously, is with difficulty resisted. Those of our people who engage in manufactures do so under the great disadvantages of imperfect experience, less skillful workmen higher paid, and every extraneous condition favoring their foreign rivals. They are judged by their first achievements, and the judgment is naturally unfavorable. In time, if successful, all these conditions are improved, but the prejudice so created remains. Home products are supposed to be ruder, dearer, less serviceable, long after they have, through persevering endeavor, ceased to be so. The defect has been cured, but its evil consequences continue. Whoever will consider impartially the circumstances under which manufactures have sprung up in our midst, must wonder that they have

so early attained such excellence that they have not yet achieved perfection both in excellence and cheapness. Show us any five years of steady and efficient Protection in which they have not made rapid advances in both respects, and an argument will be found against a farther and steady persistence in that policy.

A word on the recent change of policy in Great Britain, and we pass to notice the peculiar features of the new Tariff. That Great Britain has reduced most duties, is true, but has she done so in any instance to the prejudice or peril of her own Manufacturers? Suppose there were no other nations on the earth but the United States and Mexico, would our country deserve any credit for liberality in repealing her duties on Cotton Fabrics? Would she evince a hearty conversion to the principle of universal Free Trade? Would it be quite fair in her to urge Mexico to do likewise because of her example? Now if England, after a hundred years' efficient Protection, finds herself in a condition to outdo other nations in nearly every article she produces, we cannot consider her course fairly held up as an example for others. Grant that she has acted wisely, if by no means follows that others may wisely follow her example. If it be said that her prospective free importation of Grain is in point, we answer that Great Britain can and does produce Grain about as cheaply as any other country on the face of the earth. If her prices are higher, it is because of the enormous rents paid for her arable soil. These rents may be reduced, but her Agriculture can never be really undersold. The bulkiness of an perishable nature of Grain, &c., give an advantage to the Home producer equal to twenty-five per cent. to fifty and seventy-five per cent. The wheat-grower of central Illinois or Wisconsin will sell his product at twenty-five to fifty cents a bushel in order that it may be taken to England and sold there, in the absence of any duty whatever, as cheaply as the English wheat for which the grower received one dollar to one dollar and a quarter per bushel. The cotton-spinner in Illinois, on the other hand, must produce his fabric within five to ten per cent. of the cost in England, or he will be rivalled by British fabrics at his very door. The fact that Grain, &c., are not affected by changes of fashions or the appetite for novelty and rarity, as with textile fabrics, also tends to take their case out of the same category with fabrics of Cotton, Silk, &c.

## Latest from the Army.

The steamship "Telegraph," from New Orleans, the 18th, brings the latest advices from the army. A friend who came a passenger in the "T," and who had the best opportunity of being made acquainted with the existing state of things there, has furnished us with the following resume of the general news. It is from Camargo to the 7th inst., and from Matamoros to the 10th.

On the 6th inst., Gen. Taylor crossed the San Juan, and on the 7th took up the line of march for Serralvo, where Gen. Worth, with his command, had halted. Hay's regiment was to have left China for the same destination, intending to reach there simultaneously with Gen. Taylor. Gen. Taylor, in his march, is prepared for any emergency—either an advance or a retreat. He permitted no soldier or officer to take more baggage with him than he could conveniently carry on his back. A number of steamers had reached Matamoros with the extra baggage and the Quarrel of the Zapa dores was converted into a depot for it. All the supplies for the advancing army, so far, have been sent on by pack mules, and the General expects to have 30 days provisions for 12,000 men at Serralvo when he reaches it. The general impression is that he will there make a halt, and not advance further till he has advices from Washington. Notwithstanding the reports of the advance of a Mexican force, between San Luis Potosi and Saltillo, the General believes he can enter Monterrey, and even Saltillo, without encountering any opposition. The troops now on the road between Camargo and Monterrey, number near 12,000; none were suffered to go out such as were able and willing to stand the fatigue of a long march. This had the effect of reducing considerably the volunteer regiments: few of them exceeded 600 strong—many of the numbered even less.

There were near 600 sick volunteers in the hospitals at Camargo, and they were dying very fast. So many were sick that it required near a whole regiment to attend to them.

Gen. Patterson has been left in command of all the country from Camargo to the mouth of the river, and he has been instructed by General Taylor to issue an order prohibiting the entrance of strangers into the river and at Camargo. Therefore, any person who has not already an established business in the country will find it rather difficult to land there—at least, such is the opinion now. A different interpretation of the order may, however, be given.

Gen. Butler was the man Gen. Taylor designed leaving in command of the lower country, but Patterson did not reach Camargo as soon as was expected, the order of things was changed. Gen. P. is represented as being very much mortified at not being allowed to accompany the advance.

Amputa has issued another extraordinary "Proclamation," warning the citizens, on pain of death, not to harbor the Americans, and the Alcalde of Camargo had also put forth a "Bando," prohibiting the Mexicans from working on our steamboats. Some of the deck hands accordingly ceased their labor, but an intimation from some of their employers that the functionaries might be brought in close proximity with a lasso, he relented, and the men resumed their labor.

## Extract of a letter dated—

STEAMER CUL. CROSS, Sept. 9, 1846.

Gen. Taylor left for Monterey on the 5th. The whole of the Cul. Cross, twenty-two in all, being invited by the whole staff, Capt. J. A. Pratt. When dinner was over, they commenced their march to join the army. Next day, Lieut. French returned for more ammunition, a report having reached the General, that Santa Anna was on his march for Monterey with 15,000 men, and that all their forces were on the march to concentrate at Monterey, to give the General a warm reception. Maj. Gen. Patterson is in command of the whole troops. The whole of Gen. T.'s force has gone, about 6000 in all.—N. O. Delta.

The "Union," speaking of the negotiations with Mexico, says:—

"The gist of the matter is, that the Mexican government has not positively declined our overtures—nor has she accepted them upon conditions—she has refused to accept them if, but has referred our proposition to the constituent Congress of December, to decide the whole question.

"We are unable to say how far Santa Anna participated in this answer. We understand this reply was transmitted by General Rejoan, the secretary of foreign affairs, and that only four days elapsed between the receipt of the letter of our Secretary of State and the reply of the Mexican minister. But though Santa Anna might not have been consulted about the firm of the reply, yet the character of it seems to correspond to the general principle which he professes to have laid down for himself—of throwing himself upon the wishes of the people and of the constituent Congress.

"We had a right to expect a frank and prompt answer to our liberal and gratuitous proposition for negotiation. But the acting Mexican government declines to act without the advice and concurrence of the Congress of December. Thus three months will elapse between their letter and the meeting of Congress. How long they may spin out their delay, before they advise the executive government, no man can conjecture. Another month, perhaps, might pass by. And thus we should have four months consumed in idle and unavailing procrastination."

Meanwhile, the Union advocates an earnest prosecution of the war.

## VERMONT PHENIX.

Brattleboro, Thursday, Oct. 1, 1846.

### Court Record.

The September Term of the Windham County Court, commenced on Tuesday last week, Hon. Daniel Kellogg of the Supreme Court, presiding; assisted by the Hon. B. F. Ormiston and Hon. E. Wheeler, of this County Court.

Judge Kellogg made a very able and interesting charge to the Grand Jury, which we hope to place before our readers next week.

Several actions have been entered on the New Docket—about one-half the usual number. Several Town Bills were laid by the Grand Jury; one against each of the towns of Westminster and Griffin for insufficient roads; one against Richard Underwood for theft, and one against Thomas J. Hall for rape.

Upon the calling of the docket it appeared that there were some 10 or 12 cases set down for the jury. Several cases otherwise for trial were continued, on the account of the presiding Judge having been of counsel.

The first case submitted to the jury was that of *Oliver D. Davis vs. S. M. Davis, Bennett and others*.

Forfeiture of damages for the breach of the conditions of a bond. The jury assessed the damages at \$200.00.

For plaintiff, Walker & Kellogg and W. C. Bradley.

*Chas. Haywood vs. the Town of Dunbarton.*

This was an action on the case, for injuries sustained by the plaintiff, in consequence of the alleged insufficiency of a highway in said town. The testimony tended to prove that on the 5th day of March, 1846, the plaintiff was passing with a four horse team over the highway in said town, where the road, in descending a hill, was narrow, and bounded by the West River on one side, and a high ledge upon the other, the road widened over from water trickling down from the ledge, and was following in the center, and that the plaintiff was going down said hill, walking by the side of his high wheel horse, when the horse fell causing the plaintiff to fall, and that the wheel ran over his leg, which was badly broken.

The defendant contended that the road was not insufficient, and that the plaintiff was wanting in ordinary care in not having his horse sufficiently braced.

The case was argued by C. I. Walker and O. L. Shaffer, for the plaintiff, and A. Keyes and W. C. Bradley, for the defendant.

The jury returned a verdict of guilty, and found for the plaintiff \$170.51 damages and his costs.

For plaintiff, C. K. Field, O. L. Shaffer, Walker & Kellogg. For defendant, A. G. Keyes, and W. C. Bradley.

*Wm. H. Hudson vs. Gracia Hyde.*

This was an action upon a note, for \$100, dated Oct. 30, 1845, payable on demand to plaintiff or bearer.

The defense was that the note was obtained by the fraudulent representations of one Sidney, of the late firm of Sidney & Hyde, of Millbury, Mass., and was passed to the plaintiff in payment of a pre-existing debt of that firm, and that Hudson was a party to or cognizant of that fraud.

The case was argued by A. Keyes and Royal Tyler for plaintiff, and C. I. Walker and W. C. Bradley, for defendant.

The counsel for the defense requested the court to charge the jury, that if they found that the note was obtained by the fraudulent representations of Sidney, and was passed to Hudson in payment of an antecedent debt of Sidney & Hyde, that that debt was not a sufficient consideration for the transfer of the note to protect it in the hands of plaintiff.

The court charged as requested.

The jury returned a verdict for defendant.

For plaintiff, A. G. Keyes and R. Tyler. For defendant, W. C. Bradley, N. T. Shatt, Walker & Kellogg.

*State vs. Bartlett.*

This was an action for assault and battery committed by the respondent upon Erasmus Simpson, in July, A. D. 1845. It was a Grand Jurors complaint and was tried by a jury before the justice. Bartlett was found guilty, and appealed to this court.

The case was argued by G. B. Kellogg and C. I. Walker, for the prosecution, and by P. H. White and R. W. Smith, for the defendant.

The jury returned a verdict of guilty. A motion in arrest of judgment has been filed for some defect in the complaint.

R. H. Smith vs. H. O. Miller.

This was an action on the case for neglect of the defendant, as constable of Dunbarton, to levy an execution in favor of the plaintiff, against one Ann Lawton, by which he lost the amount of the judgment. The defense was that the plaintiff had directed the defendant not to levy the execution.

The original defendant, Lawton, was produced as witness to prove these directions.

There were circumstances tending to contradict the testimony of Lawton.

The case was argued by Plaintiff and J. E. Butler for plaintiff, and J. D. Bradley for defendant.

Verdict for defendant.

For plaintiff, the plaintiff pro se, and J. E. Butler. For defendant, A. G. Keyes and J. D. Bradley.

*State vs. Plimpton and Higgins.*

An indictment for selling spirituous liquors without a license. There were three counts in the indictment, two of which were abandoned by the State's Attorney.

Evidence tending to prove the truth of third count was given by the prosecution.

The case was argued by the State's Attorney for the prosecution, and W. C. Bradley for defendants.

Verdict of guilty. Exceptions are taken and the case will go to Supreme Court.

For State, J. Kimball. For respondents, C. K. Field, J. Roberts and W. C. Bradley.

*State vs. Thomas J. Hall.*

This was an indictment found the present term, containing three counts. The first two counts charged the respondent with committing a rape upon the person of his own daughter, Sally Hall, a girl of 13 years of age. The third count was for assault, with an intent to commit a rape.

The case for the prosecution depended entirely upon the testimony of the girl without any corroborating facts and circumstances, unless it be that the father was a grossly intemperate man.

On the part of the respondent, an attempt was made to impeach the girl's character for truth and veracity, and a physician was introduced, who gave a professional opinion, that in general, a rape could not be committed by a full grown man upon a girl of tender years without producing more serious effects than the girl testified were produced.

The case was argued for the State by J. Kimball, State's Attorney, and for the respondent by R. Tyler, who was assigned as counsel in the prisoner.

The jury returned a verdict of guilty of an assault, with an intent to commit rape, as laid in the third count of the indictment.

### Second Week.

The July jury trial of the second week of the Court, was that of *the State vs. Thomas J. Hall*. This was an indictment under the Statute for assault with intent to commit rape, upon the person of his own daughter, Sally Hall, a girl of 13 years of age. The third count was for assault, with an intent to commit a rape.

The case for the prosecution depended entirely upon the testimony of the girl without any corroborating facts and circumstances, unless it be that the father was a grossly intemperate man.

On the part of the respondent, an attempt was made to impeach the girl's character for truth and veracity, and a physician was introduced, who gave a professional opinion, that in general, a rape could not be committed by a full grown man upon a girl of tender years without producing more serious effects than the girl testified were produced.

The case was argued for the State by J. Kimball, State's Attorney, and for the respondent by R. Tyler, who was assigned as counsel in the prisoner.

The jury returned a verdict of guilty of an assault, with an intent to commit rape, as laid in the third count of the indictment.

rule of the court, to Hon. Charles Coffin, of Windham; Hon. John S. Pettibone, of Manchester; Hon. Larkin Baker, of Westminster.

The referees met on the 22d day of September, at Fayetteville. Three days were occupied in hearing the testimony, and on the fourth day the referees took a view of the premises. The case was adjourned for argument until the 10th of September, at State's Bar.

The case was argued for the plaintiff by A. Keyes, Esq. He was followed by the Hon. W. C. Bradley, Esq., and O. L. Shaffer, Esq., for the defendant. The closing argument was made by C. I. Walker, Esq., for plaintiff. The arguments occupied the whole day.

The referees gave judgment for the plaintiff, and awarded him \$200 damages and his costs.

Attorneys for plaintiff, C. K. Field, J. D. Bradley, A. Keyes, Walker & Kellogg. For defendant, W. C. Bradley, and O. L. Shaffer.

### Massachusetts Whig Convention.

The Whigs of Massachusetts assembled in Faneuil Hall on Wednesday, the 23d ult., for the purpose of nominating candidates to be supported by the Whig party for Governor and Lieut. Governor at the coming election. Some 4000 delegates and nearly 10,000 people were present. The Convention opened with a large number of resolutions, and a large number of resolutions were adopted. The Hon. Chas. Henshaw, of Westminster, was chosen President. After the organization had been completed, an motion of Mr. Henshaw, of Lowell, Governor N. Briggs, the present popular Chief Magistrate, was nominated by acclamation as the Whig candidate for Governor. JOHN REED, was also nominated in the same manner for the office of Lieut. Governor.

The Convention then adjourned until the 25th inst., to consider the nomination of a candidate for Governor, and the nomination of a candidate for Lieut. Governor.

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## State Fair at Auburn, New York.

Elbridge, Sept. 23d, 1846.

Mr. RYMER:

I attended the great Agricultural Festival which was held at Auburn last week, on the 15th, 16th, and 17th—believing that some of those who read your valuable Phoenix would like to know what great sights were there exhibited. I will attempt to give them a brief sketch, although it will be impossible to describe a thousandth part which came before my vision on the last two days.

Wednesday morning at about 10 o'clock, I took passage on the "Great Western Railway," bound with many hundreds to the fair. We arrived at the Depot in A. at 11 o'clock, when it was impossible to traverse without coming in contact with some other shoulders. Thousands upon thousands were pouring in from all directions, eager to catch a glimpse of the "Fair Grounds." A better spot could not have been selected in the whole State for holding a Fair. The enclosure was surrounded with a close board fence, about 12 ft. high, and containing nearly 33 acres, from which was afforded a good prospect. The village could be seen to good advantage from every foot of ground appropriated to the Fair. This beautiful area contained 4 large and elegant structures, built in Grecian Order, at an expense of nearly \$3000, and surpassed anything of the kind ever built in the Union.

The first which claimed the attention of the visitor, was "Floral Hall," located near the center of the area, and was most beautifully dressed in a garb of evergreen, facing towards the going down of the Sun. This "Floral palace" was 150 feet long, 50 feet wide, and 22 feet high. I was told it contained 6 miles of evergreen festoons. There to be, sloping on either side, extended through the whole length of this Hall, one appropriated to the display of the middle one literally covered with the most beautiful specimens of flowers that could be picked in the Empire State. The third table was heavily laden with a great variety of vegetables, crowned with a family of 6 Mexican pumpkins. Can you tell a better pumpkin story than this? The fruit and floral tables were separated by a Gothic structure in the center of the Hall, covered with evergreens, very elegantly trimmed, representing the Temple of Flora. It reached to the roof, and was truly the "admiration of all admirers."

It would be impossible for me to describe the ten thousandth part of what occupied this "floral palace," and suffice it to say, that the completion of the structure, and the magnificent display of the most beautiful gifts of *Dei Provisio*, reflects the greatest credit on all who had a part in it. The Fair of Auburn had no small interest in this building.

The next Building which I visited was a Gothic structure, 150 ft. long, with wings 9 or 10 ft. deep, appropriated to the display of "Domestic Manufactures." I need not tell you, that the exhibition here of household goods, far exceeded every thing within the enclosure. I will mention a few of the ten thousand splendid things arranged in this hall. I noticed some very rich embroidery, which came from some of the first ladies in the State. One of the best specimens of needle work, was a bell rope, by Mrs. Millard Fillmore, of Buffalo. I hope it may adorn the Governor's mansion, after the first of next January. Opposite hung a beautiful piece of embroidery, representing the scene of "Abraham, offering up Isaac." A little further on I discovered several specimens of wood carving, by a young artist of Buffalo, representing the "Last Supper," "Noah's Ark," "Adam and Eve," "Washington at Trenton," &c., &c., all most ingeniously and nicely executed. On enquiry, I learned that the author of these curious designs, used no other instrument than a Jack Knife and sand paper in their completion. I consider them the greatest wonder in the whole catalogue of articles exhibited in this Hall.

Indeed, the whole display here proved that rapid strides are being made, as well in the various manufactures of this State, as throughout New England; with the exception, perhaps, at Western Cloths.

The third place I visited, was a structure in Grecian style, 75 ft. long, 25 feet deep, appropriated to the "Dairy." I was extremely disappointed to find so few specimens of Dairy produce in this fertile region. I have seen Buttery and Cheese as far surpassing the display here, the production of the "Swissland of America," that I pass this part of the great exhibition without further comment.

I next visited the exhibition of Farming implements, displayed in a building 100 by 30 feet, with wings 5 feet deep. To one that has ever visited a Mechanic's Fair in New England, this exhibition would afford but a small interest. So to say, the collection here was rather small, and the finish considerably below par.

We next visited R. R. formerly of Vermont, who